



IFW

Attorney Docket No.: 61352-065
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Hiroshi KANNO : Customer No.20277
Serial No.: 10/736,627 : Confirmation No.: 4750
Filed: December 17, 2003 : Group Art Unit: 2817
Examiner: STEPHEN E. JONES
For: TRANSMISSION LINE AND SEMICONDUCTOR
INTEGRATED CIRCUIT DEVICE

ELECTION UNDER 35 U.S.C. § 121

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed November 12, 2004, having a shortened statutory period for response set to expire December 12, 2004, wherein the Examiner required restriction between the following distinct Species:

- Species I - Figures 1-3 and 4B;
- Species II - Figures 5-10; and
- Species III - Figures 11-12.

Applicant elects without traverse, Species I – with claims 1 and 7-11 readable thereon, for initial prosecution on the merits.

Applicant also reserves the right to file a Divisional Application for the non-elected claims, which the Examiner has indicated is patentably distinct.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417. A duplicate copy of this Response is enclosed for accounting purposes.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Date: 12/13/04

By: _____

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